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August 26, 2010

<u>VIA E-Filing</u>
Magistrate Judge Andrew L. Carter
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

      Re: Marek Lukasiewicz vs. ARC, et als.
              09cv05130-FB-ALC

Dear Honorable Sir:

As this Court is aware, a settlement conference is scheduled for September 1, 2010 with position papers due August 30, 2010.

Party depositions have been completed in this matter. However, there are several essential post-depositions items that need to be addressed in order for the parties to prepare the position papers.

First, the parties are in agreement to take non-party depositions of witnesses to the incident in question. Generally speaking, the claim is that Mr. Lukasiewicz was injured utilizing a blanket provided by the Red Cross during a CPR class required by his employer. Other employees were present.

In addition, our office is in need of the type of blanket utilized for the purpose of expert assessment.
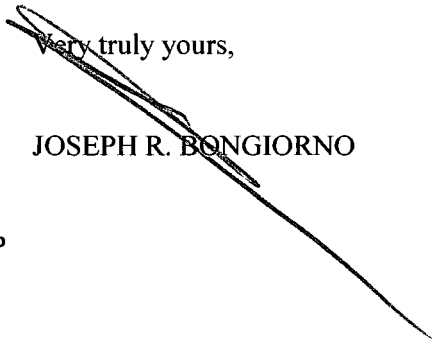
Finally, Mr. Lukasiewicz will be returning to the United States next week and defense counsel has indicated a desire to schedule a physical examination of him to assess the nature and extent of whatever injury we have claimed he sustained as a result of the incident in question.

There are other items of discovery which each of the parties can, I believe, easily resolve.

For the foregoing reasons, the parties request an adjournment of the settlement conference for forty-five days.

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As always, we appreciate the Court's kind consideration with respect to this matter.

Very truly yours,

JOSEPH R. BONGIORNO

JRB:vvh
cc: Caryn M. Silverman, Esq.
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